

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference IGT1P399WO	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/US2008/073388	International filing date ( <i>day/month/year</i> ) 15 August 2008 (15.08.2008)	Priority date ( <i>day/month/year</i> ) 23 August 2007 (23.08.2007)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant IGT		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 5 sheets, including this cover sheet.  In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44 <i>bis</i> .3(c) and 93 <i>bis</i> .1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44 <i>bis</i> .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 24 February 2010 (24.02.2010)
Facsimile No. +41 22 338 82 70	Authorized officer  <div style="text-align: center; font-weight: bold;">Nora Lindner</div>
e-mail: pt11.pct@wipo.int	

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:

see form PCT/ISA/220

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/US2008/073388

International filing date (day/month/year)  
15.08.2008

Priority date (day/month/year)  
23.08.2007

International Patent Classification (IPC) or both national classification and IPC  
INV. G07F17/32

Applicant  
IGT

#### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
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Date of completion of  
this opinion

see form  
PCT/ISA/210

Authorized Officer

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2008/073388

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in electronic form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2008/073388

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	<u>10, 12-22, 24, 26, 30-40, 44</u>
	No: Claims	<u>1-9, 11, 23, 25, 27-29, 41-43, 45-46</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-46</u>
Industrial applicability (IA)	Yes: Claims	<u>1-46</u>
	No: Claims	

**2. Citations and explanations**

see separate sheet

1 Reference is made to the following document:

D1 US 2007/117623 A1 (NELSON DWAYNE R [US] ET AL) < 24 May 2007 (2007-05-24) >

2 INDEPENDENT CLAIM 1

2.1 The subject matter of claim 1 is not new (Article 33(2) PCT), for the following reasons:

2.2 Document D1 discloses a system for providing gaming services (par.[0002]), comprising:

- a camera system comprising a plurality of cameras (par.[0011]) for obtaining patron data regarding people in or near a gaming establishment (par.[0008]), the plurality of cameras configured for communication with other devices via a network ("*.. via a network interface ..*", par.[0008]); and
- a server (par.[0008]), comprising:
  - at least one network interface configured with communication with the network (par. [0008]); and
  - a logic system ("*logic device*", par.[0008]), configured to do the following:
    - acquire patron data ("*biometric data*", par.[0008]) regarding a patron from at least one of the cameras via a network interface;
    - categorize the person with reference to the acquired patron data (par.[0008]); and
    - determine, according to the categorization, whether to populate a player loyalty database ("*.. whether to provide a benefit ..*", par.[0008]; see also par.[0015]) with at least some of the patron data.

3 INDEPENDENT CLAIMS 11 AND 29

3.1 The subject matter of claims 11 and 29 is not new (Article 33(2) PCT), as it is disclosed by D1 (see par.[0016]-[0020]).

4 INDEPENDENT CLAIMS 23 AND 41

4.1 The subject matter of claims 23 and 41 is not new (Article 33(2) PCT), for the following reasons:

4.2 Document D1 discloses a method for providing gaming services (par.[0002], see also fig.15a), comprising:

- acquiring image data of people in or near a gaming establishment (par.[0246]);
- analyzing the image data according to a first rule set (par.[0247]);
- determining whether a person is a member of a player loyalty program (par.[0251]); and
- analyzing the image data according to a second rule set when it is determined that the person is a member of the player loyalty program ("*higher level of facial recognition*", see pars.[0280]-[0281]).

5 DEPENDENT CLAIMS 2-10, 12-22, 24-28, 30-40 AND 42-46

5.1 The subject matter of dependent claims 2-10, 12-22, 24-28, 30-40 and 42-46 is either not new (Article 33(2) PCT), or in any case not inventive (Article 33(3) PCT), as the features described in said claims are either known from D1 or considered obvious to the person skilled in the art of player tracking systems.